



CITY OF MEMPHIS

COUNCIL AGENDA

February 5, 2008

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (January 22, 2008)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING

1. **ORDINANCE** rezoning the southwest corner of New Allen Road and Hawkins Mill Road, containing 198.4 acres in the Single Family Residential (R-S6) & Multiple Dwelling Residential (R-ML) District, up for F I R S T reading.

Lowery

Ordinance No. 5252

Case No. Z 07-119

Applicant: Belz Investco GP, c/o Ron Belz
Nathan Bicks – Representative

Request: Light Industrial (I-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING (None)

NOTATIONS FROM OPD

2. **NOTATIONS** from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

A. Case No. PD 07-327cc – ST. ELISABETH’S PLANNED DEVELOPMENT

Located on the northwest corner of Billy Maher Road and Egypt Central Road, containing 8.00 acres in the Agricultural (AG) District

Applicant: St. Elisabeth’s Episcopal Church
ETI Corporation – Ralph Smith - Representative

Request: A mixed use planned development containing eleven (11) single family residential lots (minimum lot size = 10,527 square feet), commercial and office space

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. SUP 07-209cc

Located on the southwest corner of Fire Road and OK Robertson Road, containing 47.08 acres in the Agricultural (AG) District

Applicant: New Tower LLC
S R Consulting (Cindy Reaves) – Representative

Request: Cellular Tower – Maximum 180 Feet

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: February 19, 2008

GENERAL ITEMS

3. RESOLUTION approving an honorary street name change on Carnes Avenue, in honor of Charles L. Harrison, Sr.

Halbert

ACTION REQUESTED: Adopt the resolution

4. RESOLUTION honoring the life of Memphis Police Lieutenant Ed Vidulich.

Morrison

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

5. RESOLUTION awarding Contract No. 11261, Commercial Auto Insurance, to Pete Mitchell and Associates, Inc. in the funded amount of \$87,609.00.
6. RESOLUTION approving Change No. 3 to Contract No. 10814, Online Legal Services, with Lexis Nexis in an estimated funded amount of \$206,670.00. (This renews the contract for a three-year period, December 1, 2007 through November 30, 2010, in the amount of \$190,332.00 and covers cost of services in the amount of \$16,338.00.)
7. RESOLUTION approving Change No. 4 to Contract No. 11028, Security Services, with CDA, Inc. in an estimated funded amount of \$3,308,717.20. (This renews the contract for the third renewal term, April 1, 2008 to March 31, 2009, and covers additional manpower expenses.)
8. RESOLUTION approving Change No. 1 to Contract No. 11217, Temporary Services, with Manpower, Inc. in an estimated funded amount of \$230,000.00. (This renews the contract for the second term, January 1, 2008 through December 31, 2008, with no increase in rates, to provide short-term temporary assignments of identified skills for clerical positions.)
9. RESOLUTION approving Change No. 1 to Contract No. 11220, Temporary Services, with Kelly Services, Inc. in an estimated funded amount of \$595,000.00. (This renews the contract for the second term, January 1, 2008 through December 31, 2008, with no increase in rates, to provide short-term temporary assignments of identified skills for general laborer positions.)
10. RESOLUTION awarding 12-month contract for concrete standards and brackets, as follows:

StressCrete c/o Curtis H. Stout of Tennessee.....	\$1,078,910.00
Southern Sales and Services Co., Inc. c/o SkyCast.....	<u>1,126,082.30</u>
Total.....	\$2,204,992.30
11. RESOLUTION amending Purchase Order No. 129872 with Stuart C. Irby for ACSR wire in the amount of \$73,219.61, for a total approved amount of \$485,219.61.
12. RESOLUTION awarding 12-month contract for #2 triplex cable to Utilicor in the amount of \$130,000.00.
13. RESOLUTION amending Purchase Order No. 123325 with American Electric Lighting for luminaries in the amount of \$155,267.96, for a total approved amount of \$2,874,053.40.

14. RESOLUTION approving a new rate schedule for the law firm of Miller, Balis & O'Neil, P.C. effective January 1, 2008.
15. RESOLUTION employing the law firm of Bass, Berry & Sims on an as-needed basis at agreed upon hourly rates, retroactive to January 1, 2005.



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REGULAR AGENDA

16.
Flinn

APPOINTMENTS

Memphis and Shelby County Film Commission

Reappointments

Herbert S. O'Mell

Pat Kerr Tigrett

Blanchard E. Tual

Memphis and Shelby County Land Use Control Board

Appointments

Mary W. Sharp

Mark Yates

GENERAL ORDINANCE – THIRD AND FINAL READING

17. **ORDINANCE** amending Chapter 21, Article VI, Section 237 of the Code of Ordinances to prohibit Minors Soliciting from Right of Ways, up for T H I R D and F I N A L reading. (Held from 1/8; 1/22)

Lowery

Ordinance No. 5248

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

18. RESOLUTION appropriating grant funds in the amount of \$6,500.00 from the State of Tennessee Community Enhancement Program to purchase a portable and advanced patient simulator for the Division of Fire Services to be used in team training for a total appropriation of \$6,500.00.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

19. RESOLUTION appropriating \$300,000.00 in GS01003, City-Wide Energy Modification for the installation of energy saving monitors and controls to various City Facilities.

Morrison

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

PARK SERVICES (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

20. RESOLUTION amending the FY 2008 Capital Improvement Budget by transferring an allocation and appropriating \$394,740.00 funded by G.O. Bonds from School Safety Improvements, project number PW04043 to School Safety Improvements Group IV, project number PW04064 to install sidewalks in school areas and for a construction contract with GCM, Inc.

Morrison

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION amending the FY 2008 Capital Improvement Budget by transferring an allocation and appropriating \$236,412.00 funded by G.O. Bonds (Storm Water) from Drainage-ST, project number ST03006 to Fort Pickering Drainage Basin, project number ST03107, for the rehabilitation of culverts and for a construction contract with Moore Construction Company, Inc.

Morrison

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION amending the FY 2008 Capital Improvement Budget by transferring an allocation and appropriating \$129,501.00 funded by Sewer Funds from Rehab Existing Sewers, project number SW02001 to Maxson Plant Sewer Line Repair, project number SW02075 and for a construction contract with Madden Phillips Construction Inc.

Morrison

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE – THIRD AND FINAL READING (None)

DIVISION OF PLANNING & DEVELOPMENT

23. RESOLUTION approving a special use permit located on the southwest corner of Butler Avenue and S. Front Street, containing 0.21 acre in the South Main (SMD) District.

Lowery

Case No. SUP 07-220

Applicant: Jeffrey S. Warren, M.D.
Rossie, Luckett, Pinstein & Riddler, P.C. & ETI Corporation –
Representatives

Request: An art gallery and vintage automobile storage facility

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

24. RESOLUTION approving a special use permit located on the northwest and southwest corners of National Street and Faxon Avenue, containing 4.9 acres in the Duplex Residential (R-D) District.

Lowery

Case No. SUP 07-225

Applicant: Collegiate School of Memphis, Inc.

Request: Private school (Grades 7-12)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

25. RESOLUTION approving a use variance located on the southeast corner of Mallory Avenue and Orleans Street, containing 14,000 sq. ft. (0.32 acre), in the Duplex Residential (R-D) District.

Lowery

Case No. UV 07-11

Applicant: Brenda Blanton (in stead of Memphis Investment Properties)
Jim Reedy – Representative

Request: Day Care Center

ACTION REQUESTED: Take whatever action Council deems advisable

LUCB and OPD recommendation: APPROVAL

No Opposition at LUCB; No Public Hearing Required

PUBLIC HEARING

26. RESOLUTION approving a planned development located on the northwest corner of James Road and Warford Road, containing .94 acre in the Single-Family Residential (R-S10) District. (Held from 01/08).

Lowery

Case No. PD 07-324

Applicant: Edward Lindsey
Frank Palumbo – Representative

Request: A two-lot commercial planned development

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

36 NOTICES MAILED ON DECEMBER 28, 2007

PRESENTATIONS AND RECOGNITION OF VISITORS

27. RESOLUTION honoring Megan Adams for “Outstanding Community Service”.

Strickland

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Approved
2. Public Hearing set for February 19, 2008
3. Through 7 – Approved
8. and 9 – Back to Committee on February 19, 2008
10. Through 13 – Approved
14. and 15 – Back to Committee on February 19, 2008
16. Approved
17. Held to February 19, 2008
18. Through 22 – Approved
23. Through 25 – Approved, as amended
26. Failed
27. Approved

ACTION TAKEN ON THE MINUTES OF JANUARY 22, 2008

Approved